

REMARKS

Claims 1 to 25 are currently pending in the application. Claim 24 has been allowed, claims 1 to 3, 8, 10 to 12, and 15 to 23 have been rejected, and claims 4 to 7, 9, 13, and 14 have been objected to. Claims 1, 4, 6, 9, 13 and 14 have been amended and new claim 25 has been added. New claim 25 and all of the amendments find full support in the specification and drawings as filed. No new matter has been added. In view of the above amendments and the following remarks, Applicants respectfully submit that this application is in condition for allowance. Accordingly, reconsideration and a timely indication of allowance are therefore respectfully requested.

As an initial matter, claims 4 to 7, 9, 13 and 14 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have amended claims 4, 6, 9, 13, and 14 to be independent including all of the limitations of the base claim and any intervening claims. Claims 5 and 7 depend from claims 4 and 6 respectively. Accordingly, Applicants respectfully submit that the objection to claims 4 to 7, 9, 13 and 14 has been obviated and that claims 4 to 7, 9, 13 and 14 are in condition for allowance.

Claim 1 has been amended to include the limitation that is believed to be the basis for allowance of claim 4, namely the requirement that a clip be used to secure the lid to the container. This distinguishes prior art systems that used threaded attachment or no attachment at all. A "clip" is defined in Webster's Ninth New Collegiate Dictionary (Merriam-Webster,

Inc., 1991) as "any of various devices that grip, clasp, or hook."

In view of the amendment to claim 1, Applicants respectfully submit that claim 1 and the claims dependent therefrom, namely claims 2, 3, 8, 10 to 12, and 15 to 23, are allowable. These claims are novel and nonobvious over Spielberg (U.S. Patent No. 5,092,996), Moore (U.S. Patent No. 5,855,289), Pettersen (U.S. Patent No. 3,419,198), Southwell (U.S. Patent No. 2,849,144), Sargent-Welch Bottle Carrier S-9625, Quisenberry et al. (U.S. Patent No. 4,874,103), Kunik (U.S. Patent No. 6,062,001), Goldstein et al. (U.S. Patent No. 4,119,407) and Beardsley (U.S. Patent No. 2,191,447), because none of these references teach "a clip for securing the lid to the container." Accordingly, Applicants respectfully request that all rejections of claims 1 to 3, 8, 10 to 12, and 15 to 23 be withdrawn.

#### New Claim 25

New claim 25 is a method claim corresponding to claim 1. New claim 25 finds full support in the specification. For example, as explained on page 2, lines 18 to 22, a sample is placed into the labware and the labware is then loaded into a swinging bucket centrifuge. Applicants respectfully submit that new claim 25 is in condition for allowance.

#### Conclusion

In view of the above amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Accordingly, reconsideration and a timely indication of allowance are respectfully requested. If the Examiner

believes a telephone conference would aid in the prosecution of this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

The Commissioner is authorized to charge \$110.00 for a one month extension of time for a large entity. Additionally, the Commissioner is authorized to charge \$362 for 4 independent claims in excess of the three already paid for and for one extra dependent claim. The Commissioner is also authorized to charge any other fee believed due to Deposit Account No. 19-2090.

SHELDON & MAK PC

Dated: July 19, 2004

By



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